

Serial No.: 10/722,873
Group Art Unit No.: 2826

REMARKS

Claims 1 through 9 are now pending in this application.

In the pending Office Action dated August 10, 2004, the Office Action states that a restriction is required under 35 U.S.C. § 121. The Office states that the application has claims directed to two distinct inventions. Invention I is directed to the semiconductor device as classified in class 257, 347 (claims 1 through 9). Invention II is directed to a method of making the semiconductor device as classified in class 438, 151 (claims 10 through 26).

The Action asserts that inventions I and II are distinct for the reasons given above and have acquired a separate status in the art as invention I and II are related as a method and apparatus for practice of the method, respectively. Accordingly, the Office requires that the applicants elect an invention for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

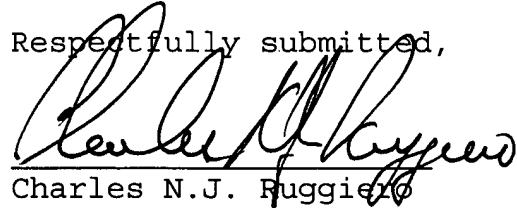
Pursuant to 37 C.F.R. § 1.143, applicants hereby elect, without traverse, invention I, namely claims 1 through 9. Applicant reserves the right to prosecute non-elected claims 10 through 26 in a possible divisional patent application.

Allowance of claims 1 through 9 is earnestly solicited.

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Respectfully submitted,



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